



Rep. Sam Yingling

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09800HB5644ham001

LRB098 17572 JLK 56407 a

1 AMENDMENT TO HOUSE BILL 5644

2 AMENDMENT NO. _____. Amend House Bill 5644 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Township Code is amended by changing
5 Sections 80-85 new, 235-5 and 235-10 as follows:

6 (60 ILCS 1/80-85 new)

7 Sec. 80-85. Highway consolidation.

8 (a) The electors of a township in a county with a
9 population of at least 300,000 but fewer than 2,000,000,
10 according to the most recent federal decennial census, may
11 abolish the position of township highway commissioner and
12 transfer all of the commissioner's functions and
13 responsibilities to the township board if the township has
14 fewer than 15 miles of road under the jurisdiction of the
15 highway commissioner. The question to abolish the position of
16 township highway commissioner and transfer its functions and

1 responsibilities to the township board shall be submitted to
2 the electors in one of the following ways:

3 (i) by a majority vote of the township board;

4 (ii) by a majority vote of the electors at the annual
5 meeting; or

6 (iii) by a petition containing 500 signatures of
7 registered voters residing within the township.

8 (b) After the question to abolish the position of highway
9 commissioner is approved under subsection (a) and the township
10 board has submitted the question to the township clerk, the
11 township clerk shall certify the question to the local election
12 official, who shall submit the question to the voters of the
13 township at the next regular election following the approval of
14 the question. The question submitted to the electors at the
15 election shall be in substantially the following form:

16 Shall the position of Highway Commissioner of (name of
17 township) be abolished and all of its functions and
18 responsibilities assumed by the Township Board of (name of
19 township)?

20 The votes shall be recorded as "Yes" or "No".

21 If the majority of electors voting on the question vote in
22 favor of the question, then the position of township highway
23 commissioner shall be abolished at the end of the term of the
24 highway commissioner in office on the date of the certification
25 of the results of the vote and all of the rights, powers,
26 duties, assets, property, liabilities, indebtedness,

1 obligations, bonding authority, taxing authority, and
2 responsibilities of the highway commissioner shall vest in and
3 be assumed by the township board.

4 (60 ILCS 1/235-5)

5 Sec. 235-5. Township taxes for various purposes. The
6 township board may raise money, by taxation not exceeding the
7 rates established in Section 235-10, for the following
8 purposes:

9 (1) Prosecuting or defending suits by or against the
10 township or in which the township is interested.

11 (2) Maintaining cemeteries under the control,
12 management, and ownership of the township and controlling,
13 managing, and maintaining public cemeteries not operated
14 for profit, notwithstanding the provisions of Section 1c of
15 the Public Graveyards Act.

16 (3) Maintaining and operating a public nonsectarian
17 hospital under Article 175. This authorization does not
18 apply to any township that avails itself of the provisions
19 of Article 170.

20 (4) Maintaining and operating a township committee on
21 youth under Section 215-5.

22 (5) Providing mental health services under Section
23 190-10.

24 (6) Providing services in cooperation with another
25 governmental entity, not-for-profit corporation, or

1 nonprofit community service association under Section
2 85-13.

3 (7) Maintaining and operating a township committee for
4 senior citizens' services under Section 220-10.

5 (8) Maintaining and operating a township health
6 service that may provide, but is not required to provide or
7 limited to providing, examination, diagnosis, testing, and
8 inoculation and all necessary and appurtenant personnel,
9 equipment, and insurance.

10 (9) Accumulating moneys in a dedicated fund for a
11 specific capital construction or maintenance project or a
12 major equipment purchase. The annual budget and
13 appropriation ordinance for the township shall state the
14 amount, purpose, and duration of any accumulation of funds
15 authorized under this Section, with specific reference to
16 each project to be constructed or equipment to be
17 purchased. Nothing in this item precludes a township from
18 accumulating moneys as provided in Section 6-501 of the
19 Illinois Highway Code.

20 (10) Executing the rights, powers, duties, and
21 responsibilities, or satisfying the liabilities or
22 obligations, assumed from a road district abolished under
23 the provisions of Section 6-133 of the Illinois Highway
24 Code.

25 (10.5) Executing the rights, powers, duties, and
26 responsibilities, or satisfying the liabilities,

1 indebtedness, or obligations, assumed from a township
2 highway commissioner under Section 80-85 of this Code.

3 (11) Any other purpose authorized by law.

4 (Source: P.A. 97-611, eff. 1-1-12.)

5 (60 ILCS 1/235-10)

6 Sec. 235-10. Rate of tax; referendum to increase maximum
7 rate.

8 (a) In townships having an equalized assessed valuation of
9 \$36,000,000 or more, taxes authorized by subsection (a) may be
10 extended at a rate not exceeding 0.25% of value, as equalized
11 or assessed by the Department of Revenue, of all taxable
12 property in the township.

13 (b) In townships having an equalized assessed valuation of
14 \$30,000,000 but less than \$36,000,000, taxes authorized by
15 subsection (a) may be extended at a rate calculated to yield
16 tax revenues not exceeding \$90,000.

17 (c) In townships having an equalized assessed valuation of
18 \$15,000,000 but less than \$30,000,000, taxes authorized by
19 subsection (a) may be extended at a rate not exceeding the rate
20 computed by subtracting 0.01% of value for each \$1,000,000 or
21 major fraction thereof in excess of \$15,000,000 but less than
22 \$30,000,000 of equalized assessed valuation from the rate of
23 0.45% of value.

24 (d) In townships having an equalized assessed valuation of
25 less than \$15,000,000, taxes may be extended at a rate not

1 exceeding 0.45% of value, as equalized or assessed by the
2 Department of Revenue, of all taxable property in the township.

3 (e) (1) In townships having an equalized assessed valuation
4 of less than \$10,000,000, taxes may be extended at a rate of
5 not more than 0.45% of value, or not more than 0.65% of value
6 if approved by voters in the township in a referendum on the
7 limit increase, as equalized or assessed by the Department of
8 Revenue, of all taxable property in the township.

9 (2) On the petition of at least 10% of the registered
10 voters residing in the township to the township clerk, the
11 clerk shall order a referendum on the proposition to increase
12 the extension limitation as provided in the petition. The
13 township clerk shall certify the proposition to the proper
14 election officials, who shall submit the proposition to the
15 township voters at the next election in accordance with the
16 general election law. The proposition shall be in substantially
17 the following form:

18 Shall the present maximum tax extension limit of
19 (insert present maximum tax extension limit) of the value,
20 as equalized or assessed by the Department of Revenue, of
21 the taxable real property in (name of township) be
22 increased to a maximum tax extension limit of (insert
23 proposed maximum tax extension limit) of the value, as
24 equalized or assessed by the Department of Revenue, of the
25 taxable real property in (name of township)?

26 The votes shall be recorded as "Yes" or "No".

1 (3) If a majority of all ballots cast on the proposition is
2 in favor of the increase, the county clerk shall certify the
3 results of the election to the township clerk.

4 (f) Any township having exceeded an equalized assessed
5 valuation of \$15,000,000 before September 17, 1983, may tax at
6 the rate authorized to be extended under this Section if
7 approved by the township voters at the annual township meeting.
8 If approval is not obtained, the tax may not be extended at a
9 rate of more than 0.25% of the value, as equalized and assessed
10 by the Department of Revenue, of all taxable property in the
11 township.

12 (g) Any township having assumed the rights, powers, duties,
13 assets, property, liabilities, obligations, and
14 responsibilities of a road district abolished under the
15 provisions of Section 6-133 of the Illinois Highway Code may
16 tax at a rate determined by adding the rate authorized to be
17 extended under this Section to the last rate authorized to be
18 extended for road purposes under Section 6-501 of the Illinois
19 Highway Code.

20 (h) Any township having assumed the rights, powers, duties,
21 assets, property, liabilities, indebtedness, obligations,
22 bonding authority, taxing authority, and responsibilities of a
23 township highway commissioner under Section 80-85 of this Code
24 may tax at a rate determined by adding the rate authorized to
25 be extended under this Section to the last rate authorized to
26 be extended for road purposes under Section 6-501 of the

1 Illinois Highway Code.

2 (Source: P.A. 97-611, eff. 1-1-12.)".